

## **REMARKS**

In the Office Action, claims 26-38 were withdrawn from consideration, and claims 1-25 were rejected. Claims 1 and 14 have been amended, claims 26-38 have been canceled without prejudice, and claims 1-25 remain pending in the present application. All claim amendments are fully supported throughout the written description and figures of the specification.

Claims 1, 2, 4, 6-9, 11, 12, 14, 15, 18, 20 and 21 were rejected under 35 USC 102(b) as anticipated by the Siegfried, II et al. reference, US Patent No.: 4,928,759. Independent claims 1 and 14 have been amended to clarify certain aspects of the invention, and the rejected claims are believed patentably distinct over the cited reference.

The Siegfried, II et al. describes an instrument that is inserted into a wellbore for measuring flow rate and certain other characteristics of fluid produced through the wellbore. In operation, instrument 24 is inserted into the wellbore and moved to a desired location via a tubing 22. During movement through the wellbore, a packer sleeve 40 is maintained in a retracted position away from the wall surface 15. When instrument 24 is at a desired location in the wellbore, a valve 72 is closed and a valve 56 is opened while fluid under pressure is pumped through tubing 22 to inflate sleeve 40. The inflated sleeve 40 moves into sealing engagement with the casing wall, thereby forcing fluid to pass through a series of internal passages 82, 84 and 86 upon the opening of a valve 92. The instrument 24 can be moved by closing valve 56 and opening valve 72 to exhaust fluid and retract packer sleeve 40 under the urging of a spring 66. (Column 5, lined 6-51). However, packer sleeve 40 remains connected to tubing 22, requiring that instrument 24, tubing 22 and packer sleeve 40 be moved as a unit.

The Siegfried, II et al. reference does not disclose or suggest the elements of the pending claims. For example, the reference does not disclose or suggest a downhole unit operable to house a logging tool, to selectively secure a fluid barrier within a wellbore casing and to "disengage the fluid barrier during use of the logging tool" at a downhole location, as recited in

amended, independent claim 1. Similarly, the reference fails to disclose or suggest a downhole tool having a well logging tool, a fluid barrier and first and second portions in which the second portion is operable to selectively secure the fluid barrier to a wellbore casing and to "disengage, the fluid barrier" while the fluid barrier is secured to the wellbore casing during operation of the logging tool, as recited in amended, independent claim 14.

Claims 2, 4, 6-9, 11, 12, 15, 18, 20 and 21 all ultimately depend from either independent claim 1 or independent claim 14. These dependent claims are patentably distinguishable over the cited reference for the reasons provided above with respect to the independent claims as well as for the unique subject matter recited in each dependent claim.

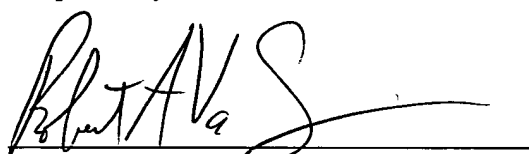
Claims 3, 10, 13, 16, 17, 19 and 22-25 were rejected under 35 USC 103(a) as unpatentable over the Siegfried, II et al. reference. Each of these claims ultimately depends from either independent claim 1 or independent claim 14 and is patentable for the reasons provided above with respect to those independent claims. Additionally, however, applicants strongly traverse the Examiner's rejection and respectfully submit that regardless of the dependency from amended claims 1 and 14 no prima facie case of a obviousness has been established.

The Examiner has provided no support for his assertions with respect to these claims, and applicants respectfully submit the Examiner is incorrect in his characterization of the subject matter of these claims. For example, the fluid barrier disclosed in the cited reference is not equivalent to the "retrievable bridge plug" recited in claim 3; a shut off valve is not equivalent to an "artificial lift device" as recited in claims 10 and 17 (a shut off valve does not provide artificial lift); the cited reference does not remotely suggest the lowering of a logging tool from a downhole unit to log data, as recited in claim 13; the cited reference does not disclose or suggest a downhole tool adapted to enable a portion of the well logging tool to be disposed through a portion of the downhole tool, as recited in claim 16; the cited reference does not disclose or suggest a "side door" as recited in claim 19; and the cited reference fails to disclose or suggest a downhole tool in which a portion of the tool comprises "a downhole lubricator" or "an overshot secured to the downhole lubricator" as recited in claims 24 and 25, respectively. Accordingly,

no prima facie case of obviousness has been established. The subject dependent claims are patentable based on both their dependency and the unique subject matter recited therein.

In view of the foregoing remarks, the pending claims are believed patentable over the cited reference. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert A. Van Someren', written over a horizontal line.

Robert A. Van Someren  
Reg. No. 36,038

Date: July 15, 2004

PO Box 2107  
Cypress, TX 77410-2107  
Voice: (281) 373-4369